

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4658-01  
Bill No.: HB 1102  
Subject: Children and Minors; Socials Services Dept.; Victims of Crimes  
Type: Original  
Date: March 8, 2012

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Bill Summary: Modifies provisions of mandatory reporting of child sexual abuse.

**FISCAL SUMMARY**

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of State Courts Administrator, Department of Health and Senior Services, Department of Public Safety - Missouri State Highway Patrol, Boone County Sheriff's Department, Springfield Police Department, Linn State Technical College, Metropolitan Community College, Missouri Southern State University, Missouri State University, Missouri Western State University, University of Central Missouri and University of Missouri** assume the proposal will have no fiscal impact on their organizations.

Officials from the **Office of Attorney General** assume any potential costs arising from this proposal can be absorbed with existing resources.

Officials from the **Department of Social Services - Children's Division (CD)** provide the following information and assumptions:

During the 2010 Calendar year, the Child Abuse/Neglect Hotline Unit (CANHU) received 56,897 reports of child abuse/neglect, involving 83,503 children. 26,991 of the total incidents were screened as investigations (47%) and 4,291 investigations resulted in a substantiated finding (16%). 6,435 of the total 56,897 calls had at least one reported allegation of sexual abuse (11%). Most of these were investigations, but some were family assessments.

Of those 4,291 substantiated investigations, 1,485 resulted in a sexual abuse substantiation (35%). Some of those substantiated sexual abuse findings were called in by than more than one reporter. When duplicate reporters are taken out, there were a total of 1,311 substantiated findings (31%).

Of the phone calls made that resulted in the 1,485 cases of substantiated sexual abuse, 1.4 % of the calls were made by unknown reporters, 18.1% were made by permissive reporters and 80.5% were made by mandated reporters.

It is assumed that if a mandated reporter observed sexual abuse, the reporter would have reported or caused a report to be made to the hotline. Of the 1,485 calls that resulted in substantiated hotlines, 19.5% were made by permissive or unknown reporters, accounting for 292 substantiated sexual abuse investigations.

Assuming the legislation resulted in a 5% increase in the number of calls with sexual abuse allegations, a 20% increase of substantiated sexual abuse findings, and using the 6,435 calls that had at least one allegation of sexual abuse that resulted in 1,311 substantiated sexual abuse

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ASSUMPTION (continued)

findings (20%), the proposal could result in an increase of 322 more reported incidents. It is anticipated that the majority of these calls would be duplicate calls on incidents rather than new incidents, although there is no way of knowing for sure. Therefore, based on a 20% substantiated sexual abuse history, this proposal could result in 64 more substantiated sexual abuse findings throughout the state of Missouri.

The CD assumes the majority of reports with sexual abuse allegations will be handled as investigations. Currently, the Division's standards for workers are 12 investigations per month or 144 per year. Therefore, 322 additional reports would require approximately 2.2 FTE **statewide** (322 additional reports/ 144 investigations annually = 2.2 FTE; fiscal impact less than \$100,000 annually).

The Division assumes the increase in workload resulting from this legislation could be absorbed with existing resources since the additional reports and investigations would be spread throughout the state.

Officials from the **Department of Corrections (DOC)** state the penalty provisions for violations, the component of the bill to have a potential fiscal impact for DOC, is for a class A misdemeanor. Currently, the DOC cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost through supervision provided by the Board of Probation and Prolongation (FY 11 average of \$5.12 per offender, per day, or an annual cost of \$1,869 per offender).

The DOC assumes supervision by the DOC through probation would result in some additional costs, but it is assumed the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

For the purposes of this proposed legislation, officials at the **Office of State Public Defender (SPD)** cannot assume that existing staff will provide competent, effective representation for any new cases arising where indigent persons are charged with the proposed new crime of failure to report child abuse - a Class A misdemeanor.

Passage of bills increasing penalties on existing crimes, or creating new crimes, requires the SPD system to further extend resources. While the number of new cases (or cases with increased

ASSUMPTION (continued)

penalties) may be too few or uncertain to request additional funding for this specific proposal, the SPD will continue to request sufficient appropriations to provide competent and effective representation for all its cases.

**Oversight** assumes the SPD could absorb the costs of the proposed legislation within existing resources. **Oversight** assumes any significant increase in the workload of the SPD would be reflected in future budget requests.

No additional colleges, schools or local law enforcement organizations responded to **Oversight's** request for a statement of fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

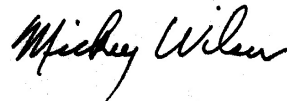
FISCAL DESCRIPTION

The proposed legislation appears to have no fiscal impact.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Attorney General  
Office of State Courts Administrator  
Department of Corrections  
Department of Health and Senior Services  
Department of Social Services  
Department of Public Safety -  
    Missouri State Highway Patrol  
Office of State Public Defender  
Boone County Sheriff's Department  
Springfield Police Department  
Linn State Technical College  
Metropolitan Community College  
Missouri Southern State University  
Missouri State University  
Missouri Western State University  
University of Central Missouri  
University of Missouri



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Director  
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